

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
KEITH MURRAY,

Plaintiff,

-against-

UNITED PARCEL SERVICE OF AMERICA, INC.,  
UNITED PARCEL SERVICE, INC., UNITED  
PARCEL SERVICE CO., THOMAS CLEARY AND  
JILLIAN DEDIER,

Defendants.  
-----X

NO. 08-CV-02160 (LAK)

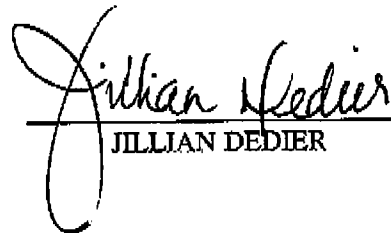
**AFFIDAVIT OF JILLIAN DEDIER**

STATE OF NEW YORK     )  
                                  ) SS:  
COUNTY OF NEW YORK )


Jillian Dedier, being duly sworn, deposes and says:

1. I am a Security Supervisor in the Metro New York District of United Parcel Service, Inc. ("UPS"), and I have been named as a defendant in the above-captioned matter.
2. I submit this affidavit in support of a motion to dismiss plaintiff's First Amended Complaint as against myself and Thomas Cleary due to plaintiff's failure to complete service of process within the time limits prescribed by the Federal Rules of Civil Procedure and the New York Civil Practice Law and Rules.
3. On May 7, 2008, a copy of the Summons and First Amended Complaint in this action was left for me with the security desk at my place of business, *i.e.*, the UPS facility located at 643 West 43rd Street, New York, New York 10036.

4. On May 15, 2008, I received a copy of the Summons and First Amended Complaint via U.S. Mail.

  
JILLIAN DEDIER

Sworn to before me this  
4<sup>th</sup> day of June, 2008.

  
Notary Public

ROBERT SIERRA  
NOTARY PUBLIC, State of New York  
No. 01SI4689184  
Qualified in Kings County  
Commission Expires 2/28/2010

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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KEITH MURRAY,	:	
	:	
Plaintiff,	:	NO. 08-CV-02160 (LAK)
-against-	:	
	:	
UNITED PARCEL SERVICE OF AMERICA, INC.,	:	
UNITED PARCEL SERVICE, INC., UNITED	:	
PARCEL SERVICE CO., THOMAS CLEARY AND	:	
JILLIAN DEDIER,	:	
	:	
Defendants.	:	x
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**CERTIFICATE OF SERVICE**

I, Evandro C. Gigante, hereby certify that on June 4, 2008, I caused true and correct copies of the following :

1. Notice of Motion
2. Affidavit of Thomas Cleary
3. Affidavit of Jillian Dedier
4. Declaration of Evandro C. Gigante, Esq.
5. Memorandum of Law on Behalf of Defendants Thomas Cleary and Jillian Dedier in Support of Motion to Dismiss to Complaint Under Fed. R. Civ. P. 12(b)(2) and (12)(b)(5)

to be served via United Parcel Service Overnight Delivery upon the following:

Adam Richards  
ADAM RICHARDS LLC  
40 Fulton Street, 7th Floor  
New York, New York 10038  
*Attorney for Plaintiff*

Dated: New York, New York  
June 4, 2008

By: 

Evandro C. Gigante (EG-7402)

AKIN GUMP STRAUSS HAUER & FELD LLP

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New York, New York 10022

(212) 872-1000 (Telephone)

(212) 872-1002 (Facsimile)

Email: egigante@akingump.com

*Attorneys for Defendants Thomas Cleary and  
Jillian Dedier*